

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

C. M. COLLINS, N. J. LUNDY, and R. §
C. L. MAYS, individually, and on behalf §
of all others similarly situated, §

Plaintiffs,

V.

**CATASTROPHE RESPONSE UNIT, §
INC. and CATASTROPHE RESPONSE §
UNIT USA, INC., §**

Defendants.

CIVIL NO. 4:22-CV-1073-SDJ

DECLARATION OF TRAVIS GASPER

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct:

1. My name is Travis Gasper. I am over the age of 18. I am competent to make this declaration. The facts stated in this declaration are within my personal knowledge and are true and correct.

2. I assisted Plaintiff Carla Collins in responding to Defendants' request for her to produce her Facebook data. Specifically, Defendants requested Ms. Collins download:

a. Posts; Messages; Comments and reactions; Stories; Groups; Pages; Events; and Other activity;

b. from the following Facebook profiles associated with her:

- i. Carla Collins;

ii. Ask Shesus;

- iii. Shesus Christiana; and
- iv. Marie Collins;
- c. For the following dates:
 - i. July 9, 2021–October 16, 2021;
 - ii. February 21, 2022–August 13, 2022; and
 - iii. September 28, 2022–October 31, 2022.

3. On December 19, 2023, Ms. Collins provided her email address and password associated with her Facebook account and gave me permission to log in to her account and download the data described above. When I logged into Ms. Collins’ account and went to Facebook’s Accounts Center, I was given the option to select the Carla Collins profile, but did not have the option of selecting the other three profiles. *See Figure 1* (unintentionally cropped screenshot showing accounts and profiles available to include in download request). (*See infra* para. 7 for information on the additional steps taken in to access Ms. Collins’ other three profiles.)

4. One of the last steps in the process of requesting a Facebook download is to select a date range or enter a custom date range. The custom date range option only allows for entering *one* custom date range, so I entered July 9, 2021 to October 16, 2021. *See Figure 2*.

5. I then submitted the request, which Facebook confirmed shortly thereafter by sending an email to Ms. Collins. *See Figure 3* (“Today” refers to December 18, when Ms. Collins received and took a screenshot of the email). The email states that Facebook will send another email once the files are ready to download.

6. I started the download request process, intending to request a download of the Carla Collins profile for the next date range requested by Defendants, but was unable to continue past the first step of the process. There was no option to select the Carla Collins profile, which now had

“Pending download” under it, and I now noticed that at the top of the window this sentence: “Each account or profile can only have one pending download at a time.” *See Figure 4* (highlights added). I realized I would be unable to download the other date ranges for the Carla Collins Facebook profile until the current pending download completed.

7. I contacted Ms. Collins to ask her to contact me as soon as she received an email stating that the requested files were ready to download and to find a way to access the other three profiles. Ms. Collins said she previously had access to these three profiles from her phone, but not from a computer. *See Figure 5* (screenshot of Ms. Collins’ phone showing all four profiles). Ms. Collins said she is currently unable to access these three profiles from anywhere, even from her phone. To attempt to access these profiles, I asked Ms. Collins to click “Forgot password?” She was prompted to enter her mobile number or email address, then click “Find account.” *See Figure 6*. It gave her the option of getting a code or link via text message, *see Figure 7*. She first selected text message and entered her phone number, which she selected, but she never received a text message. She also tried entering her email address, but got a message that Facebook “couldn’t find [her] account.” *See Figure 8*. Ms. Collins said all four profiles should be connected to one single account associated with one phone number and one email address, and she did not know why she was unable to access to some of her profiles now.

8. The last public posts from the three profiles that Ms. Collins is unable to access were made on the following dates:

- a. Ask Shesus: July 28, 2022;
- b. Shesus Christiana: December 8, 2022; and
- c. Marie Collins: November 17, 2023.

See Figure 9 (emphases added).

9. Ms. Collins did not receive an email from Facebook stating her information was ready to download until December 19 at 3:57 p.m.—over 26 hours after the request was made. *See Figure 10*. I logged in and downloaded the ZIP file, which was an incredible 4.33 gigabytes in size and contained over 3,000 files. *See Figure 11*.

10. As soon as the download started, I went through the process of requesting another download of the Carla Collins profile for the date range of February 21, 2022 to August 13, 2022. *See Figure 12*. Ms. Collins received an email confirming the request at 5:42 p.m. on December 19, 2023. *See Figure 13*.

11. In an effort to be as responsive as possible given the issues described above, I personally accessed the public profiles of Ask Shesus, Shesus Christiana, and Marie Collins, and scrolled down until Facebook loaded all posts through the earliest date requested by Defendants or the date when the profile was created. For example, the earliest post on the Ask Shesus profile was July 4, 2022. I saved profile posts as PDFs and also saved the webpages in HTML format for production to Defendants. The Ask Shesus PDF file is 64 pages and the Shesus Christiana PDF file saved as 156 pages. When verifying the PDF files before producing them to Defendants, I realized the Shesus Christiana PDF did not contain the entire date range requested. When I attempted again to save the full date range requested, the PDF would not display correctly, so the 156-page partial PDF was produced instead. Similarly, the Marie Collins PDF file was over 900 pages and would not display correctly after saving. Nevertheless, data for all three profiles should be available in the HTML files produced to Defendants. Incidentally, as these are public profiles, defense counsel can also access them, as they have done previously.

12. The process of saving Ms. Collins' Facebook profiles as PDFs is not as simple as it sounds; when viewing a profile on Facebook, the website initially only loads the most recent

profile posts. When you get near the bottom of these posts, Facebook dynamically loads a few additional posts in reverse chronological order. You must again scroll down to the bottom of those posts and wait for Facebook to dynamically load a few additional posts, and so on. There is no way to “jump” to a specific date and time; you must continue to scroll and scroll until you reach the posts you are looking for. At that point, the challenge becomes printing the profile or saving it as a PDF. My attempts at printing the profiles resulted in scrambled pages of disorganized text. Trying to save the profiles as PDFs was met with mixed success: the 64-page Ask Shesus profile saved as a PDF, but I was only able to save 156 pages of the Shesus Christiana profile, and unable to successfully save the 900-plus page Marie Collins profile, which appeared to be saving as a PDF for over an hour, but ultimately the PDF file was corrupt and unreadable.

13. The time-consuming nature of producing the Facebook data requested by Defendants is not solely because of the tedious process described above, nor is it completely solved by using Facebook’s data download tool, as Defendants will likely argue. After waiting 26 hours to download part of the data from one of Ms. Collins’ profiles, Plaintiffs’ counsel had planned to redact the names and contents of certain messages between Ms. Collins and victims of domestic violence, with whom Ms. Collins communicates and advocates for using Facebook. Ms. Collins’ sole condition on producing the data requested by Defendants was that she honor her commitment to respect these victims’ privacy by ensuring their identities remain confidential—a condition defense counsel, who referred to Ms. Collins’ volunteer work as “noble,” *see Exhibit 1*, Collins Dep. at 157:18–19, would no doubt understand and support. Unfortunately, there is no option in Facebook to only download messages sent or received from certain people. Instead, deleting or redacting specific messages would require editing multiple HTML files and changing folder structures and naming conventions, which is definitely outside this attorney’s skill set. Given the

sensitive nature of some of these messages, and out of an abundance of caution for the potential inadvertent disclosure of the names and identities of domestic violence victims, counsel opted to not produce any messages from the Carla Collins profile at this time.

14. I spent 5.9 hours on December 18 and 19, 2023, on the tasks described above. That does not include the time spent drafting this declaration.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on December 19, 2023.


Travis Gasper

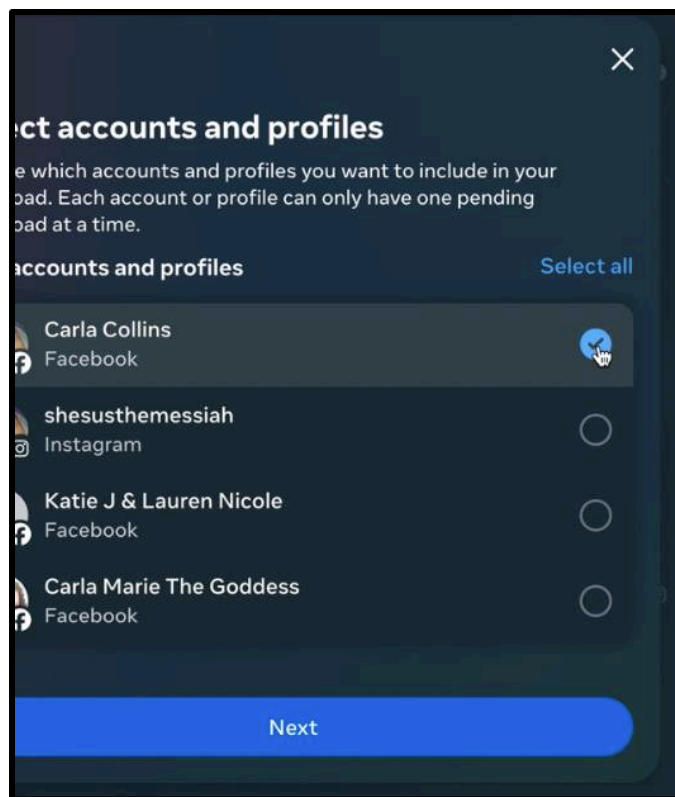


Figure 1

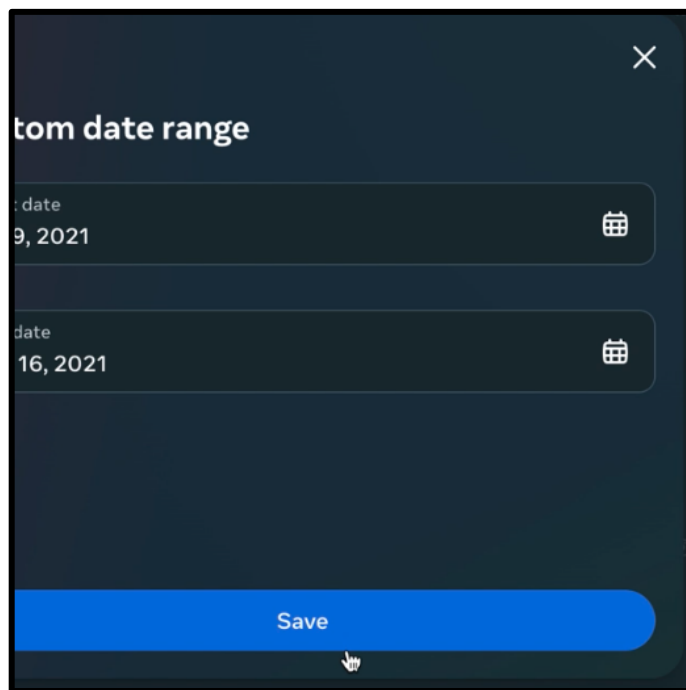


Figure 2

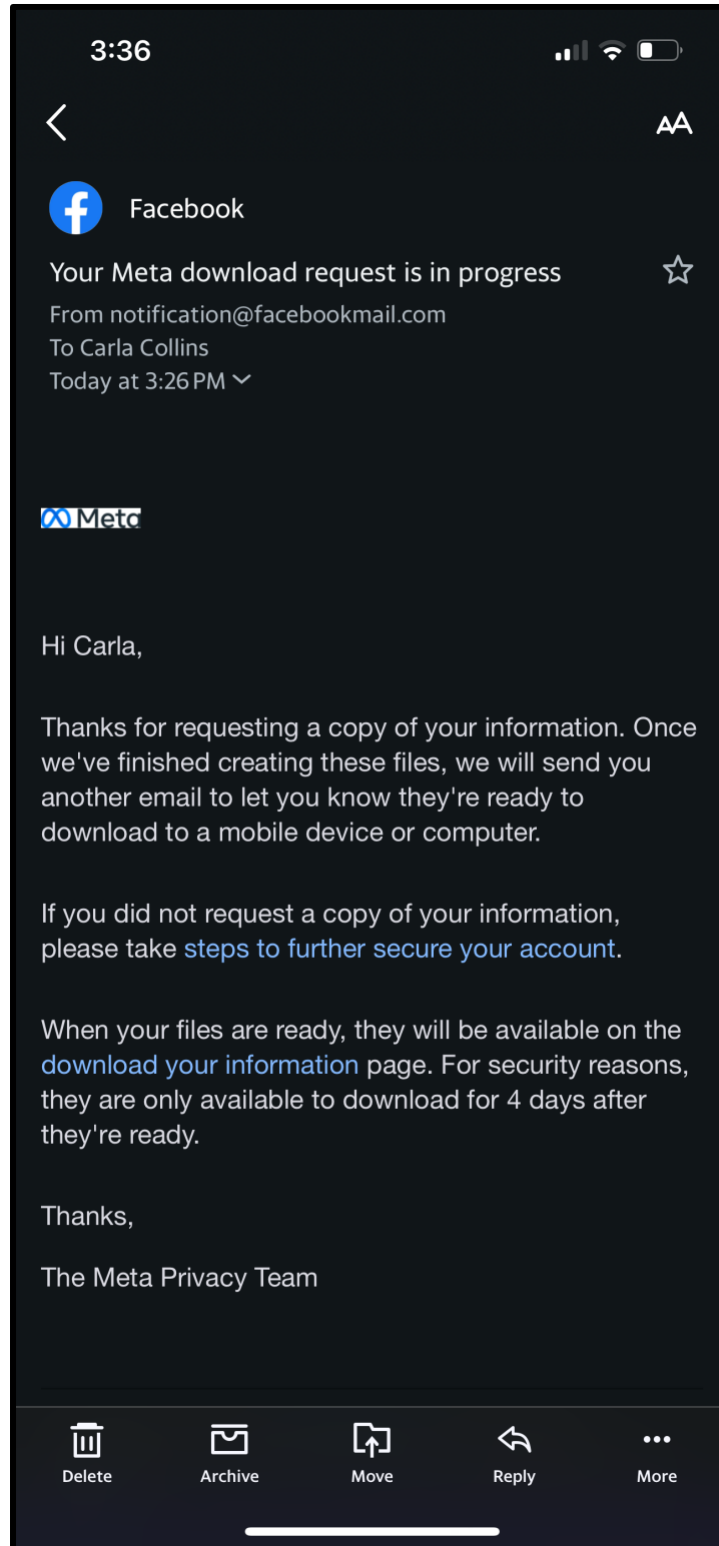


Figure 3

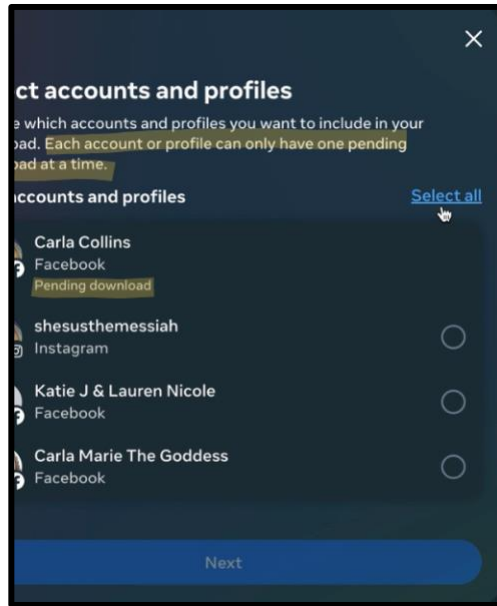


Figure 4

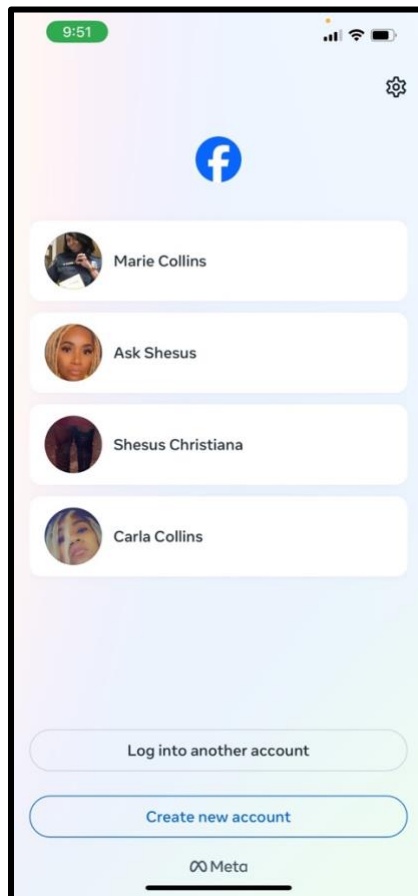


Figure 5

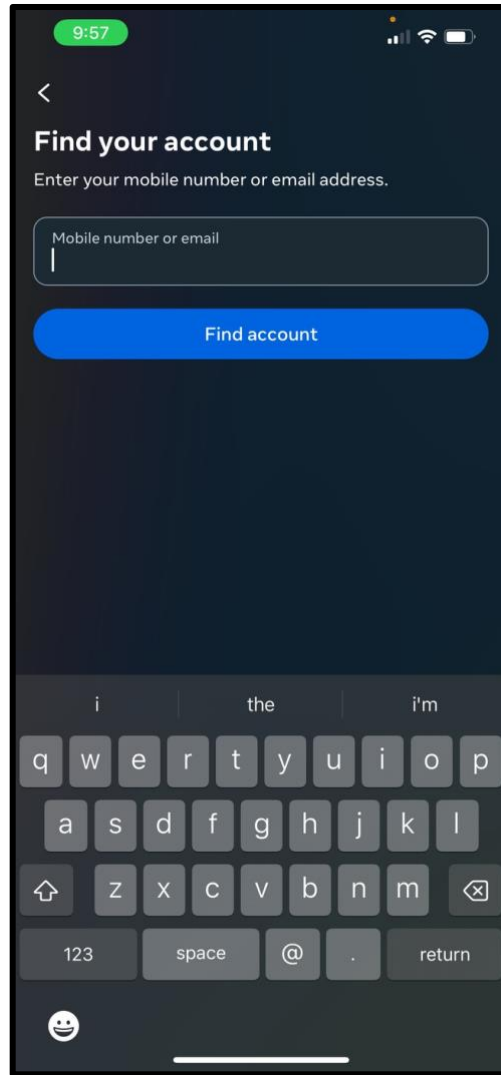


Figure 6

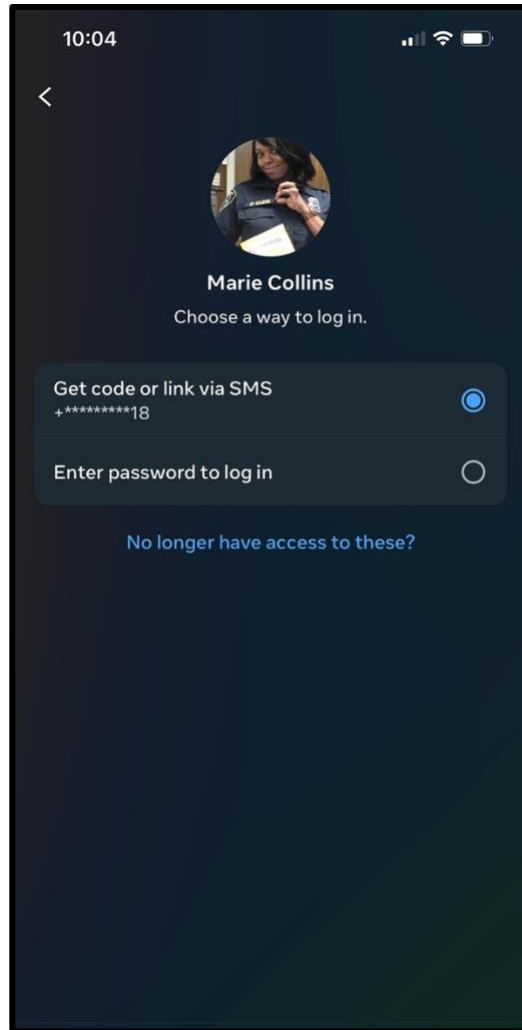


Figure 7

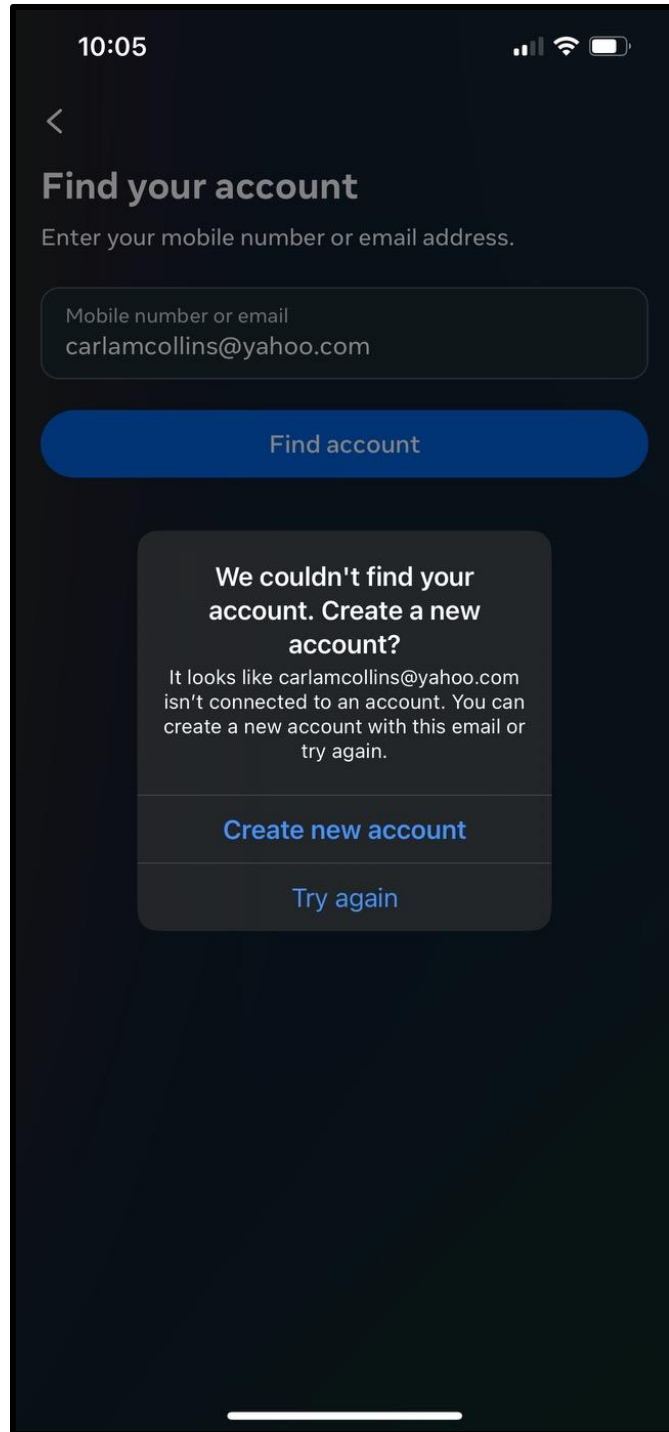


Figure 8

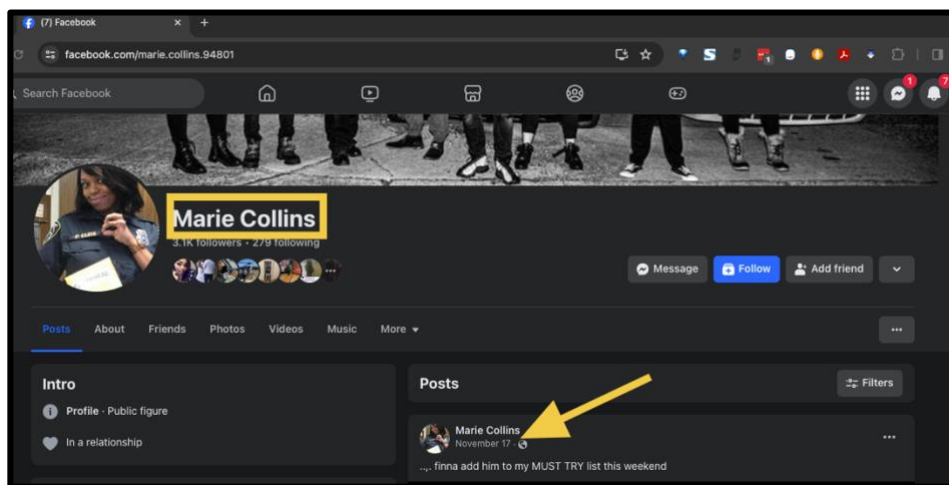
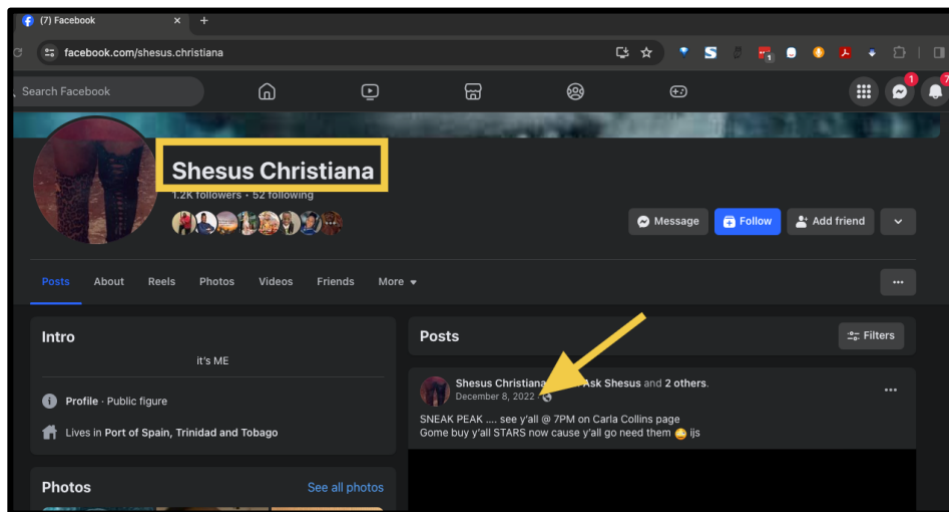
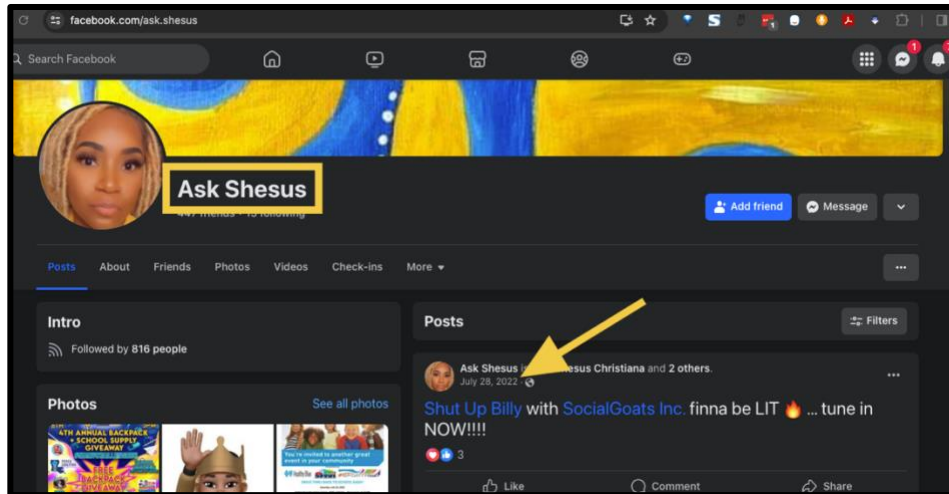


Figure 9

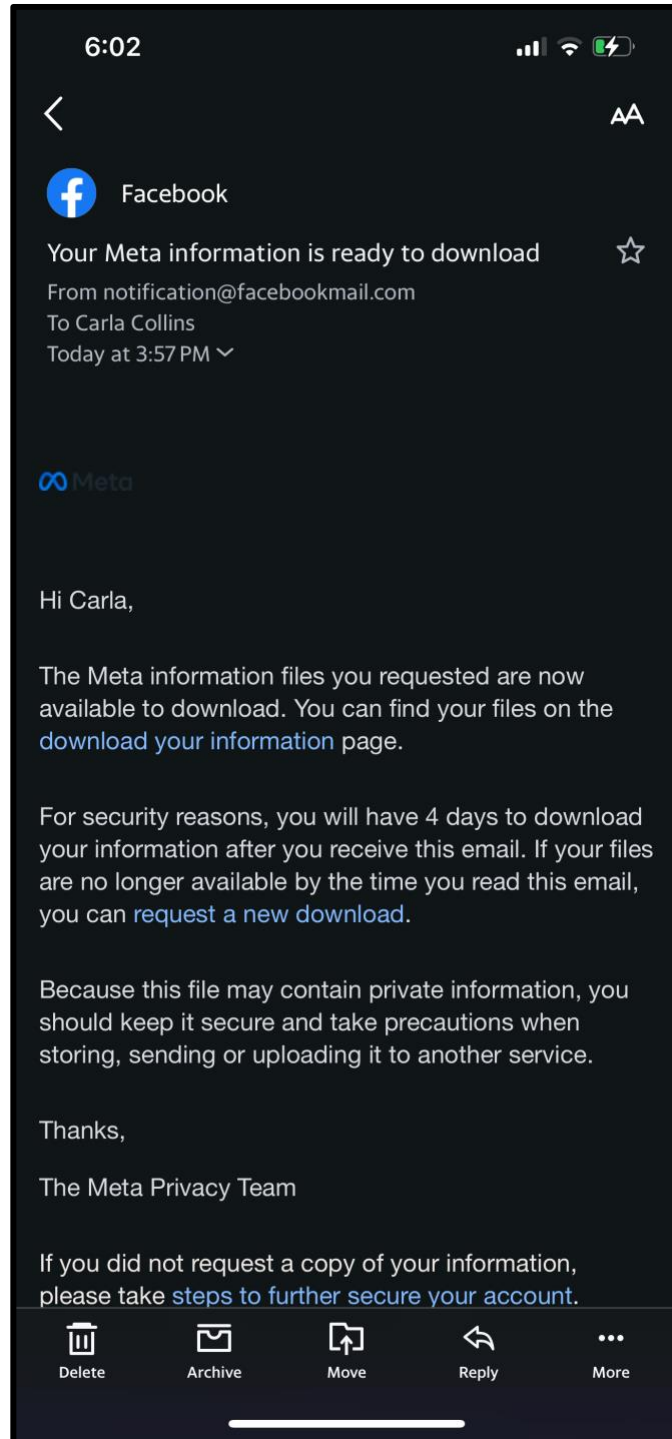


Figure 10

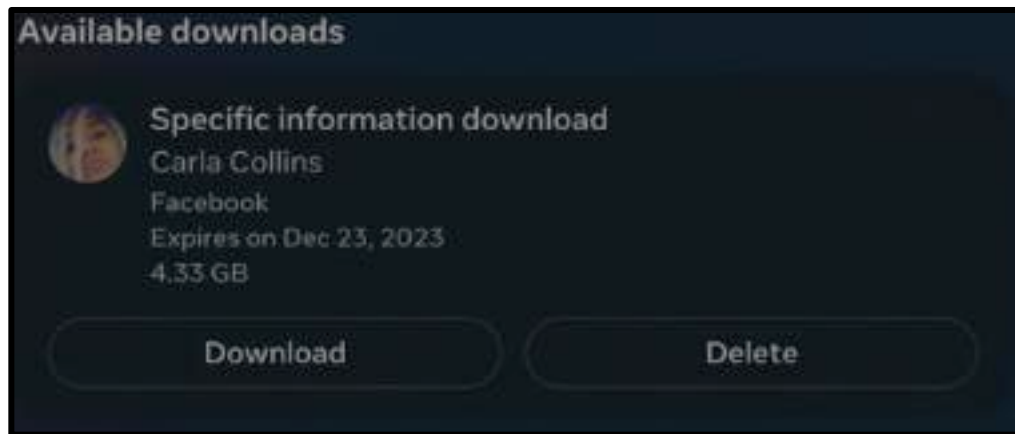


Figure 11

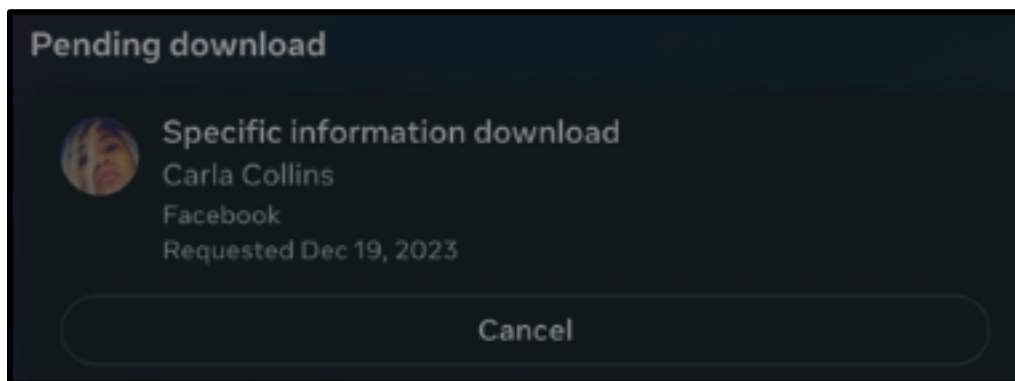


Figure 12

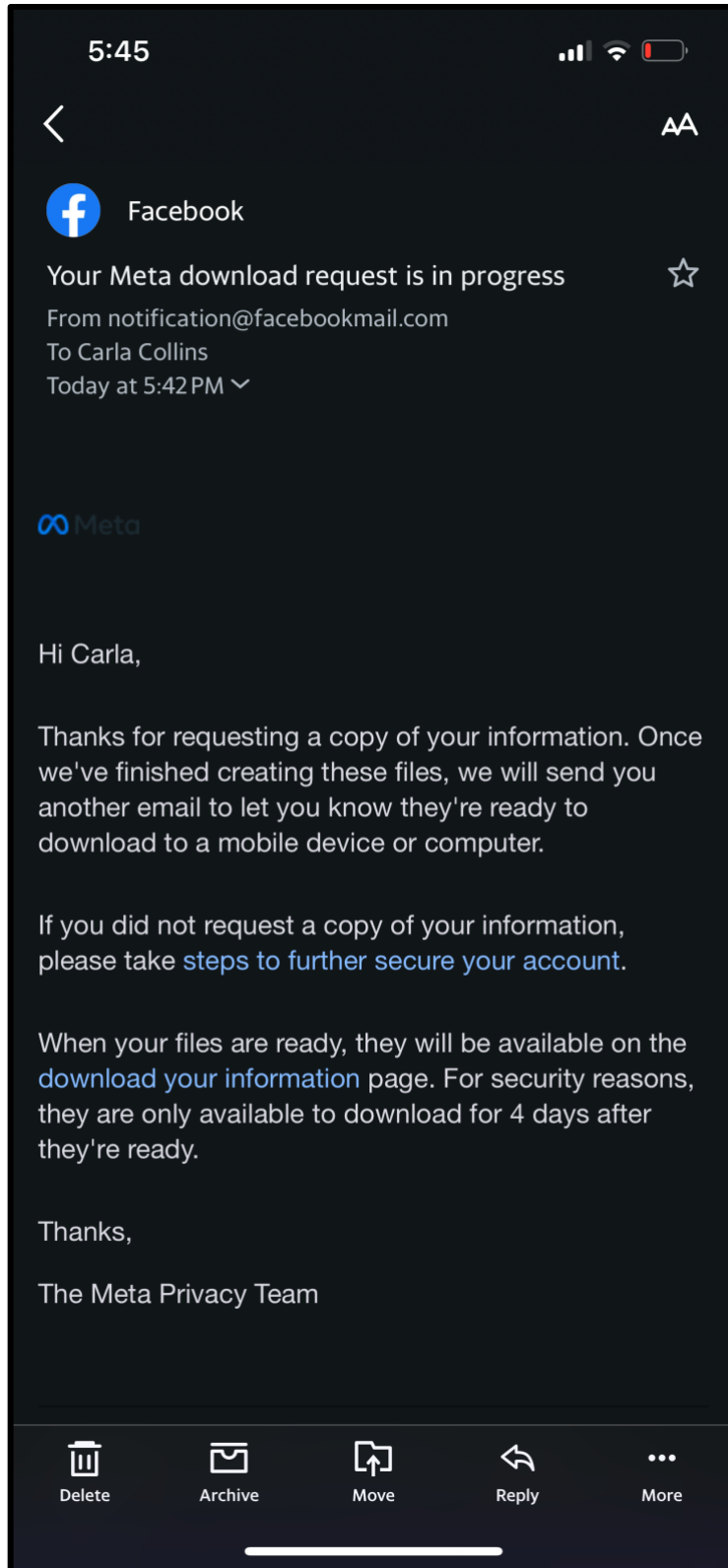


Figure 13

Exhibit 1

ORAL AND VIDEOTAPED DEPOSITION OF CARLA COLLINS

Page 157

1 Q. Was that March in the last three years?

2 A. Yes. No, I'm -- I'm not sure.

3 Q. Have you ever worked or volunteered for any
4 causes?

5 A. I do things on my own, so that's
6 volunteering.

7 Q. But not working for any formal organization?

8 A. My organization, Be the Village.

9 Q. Is that the only organization that you
10 volunteer for --

11 A. Yes.

12 Q. -- or work for?

13 A. I don't work for the organization. I donate
14 my time.

15 Q. Did you ever donate your time during the
16 workday when you were on deployment for CRU?

17 A. No.

18 Q. Did you ever engage in any of these noble
19 acts when you were on deployment for CRU?

20 A. No.

21 MR. GASPER: Can we take ten?

22 MR. HURST: Sure.

23 THE VIDEOGRAPHER: We're off record at

24 3:51 p.m.

25 (Break from 3:51 p.m. to 4:16 p.m.)